

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

No. 04-CR-10065-MLW

UNITED STATES

v.

CLARENCE EARLE

*Filed in Open Court
November 14, 2005
[Signature]*

DEFENDANT'S MOTION TO STRIKE CONDITIONALLY ADMITTED EXHIBITS

Pursuant to Rule 104(b) of the Federal Rules of Evidence, the defendant Clarence Earle moves that the Court strike from the jury's consideration each of the exhibits that it conditionally admitted. In support of this motion, the defendant states that the government has failed to produce sufficient evidence to warrant consideration of the disputed evidence by the jury.

Respectfully submitted
The defendant Clarence Earle
By his attorney

[Signature]

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*For the reasons discussed in
court, this motion is DENIED
W. C. D. J.
Nov. 14, 2005*